

special charter shall be ratified at such election by a majority of the qualified voters participating or voting at such election before such charter can go into effect."

The bill was read a second time.

By Senator Odell:

"Amend by inserting the following, 'or amendments to a special charter' immediately after the words 'special charter,' wherever the same appear in the enacting clause and in Section 1."

Adopted.

Pending further action,

Senator Gough moved to excuse Senator Patterson for the remainder of the week.

Senator Lewis moved that the Senate adjourn until 10 a. m. Monday.

The Senate adjourned until Monday, 10 a. m., by the following vote:

Yeas—14.

Atlee.	Johnson.
Davidson.	Kerr.
Dibrell.	Lewis.
Goss.	Miller.
Greer.	Neal.
Grinnan.	Sebastian.
Hanger.	Yantis.

Nays—13.

Burns.	Odell.
Gough.	Potter.
James.	Ross.
Linn.	Stafford.
Lloyd.	Terrell.
McGee.	Yett.
Morriss.	

Absent.

Stone.	Wayland.
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Absent—Excused.

Patterson.	Turney.
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FIFTY-FOURTH DAY.

Senate Chamber,
Austin, Texas, Monday, March 27, 1899.

Senate met pursuant to adjournment.

President Pro Tem. Stafford in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Atlee.	Lewis.
Burns.	Linn.
Davidson.	Lloyd.
Goss.	Miller.
Gough.	Morriss.
Greer.	Odell.
Grinnan.	Patterson.
James.	Potter.
Kerr.	Ross.

Sebastian.
Stafford.

Terrell.
Yantis.

Absent.

Dibrell.
Hanger.
Johnson.
McGee.
Neal.

Stone.
Turney.
Wayland.
Yett.

Prayer by the Chaplain, Rev. Dr. Den-son.

Pending the reading of the Journal of Friday,

On motion of Senator Patterson, the same was dispensed with.

(Senator Atlee in the chair.)

EXCUSED.

On motion of Senator Stafford, Assistant Sergeant-at-Arms Hughes was excused for today and tomorrow on account of sickness in his family.

Senator Lloyd moved to excuse Senator Hanger indefinitely on account of sickness in his family.

Lost by the following vote (requiring an affirmative two-thirds vote):

Yeas—13.

Atlee.	Linn.
Burns.	Lloyd.
Goss.	Miller.
Gough.	Morriss.
Grinnan.	Sebastian.
Kerr.	Stafford.
Lewis.	

Nays—9.

Davidson.	Potter.
Greer.	Ross.
James.	Terrell.
Odell.	Yantis.
Patterson.	

Absent.

Dibrell.	Stone.
Hanger.	Turney.
Johnson.	Wayland.
McGee.	Yett.
Neal.	

Senator Patterson moved to excuse Senator Johnson for today and tomorrow on account of sickness in his family.

Lost by the following vote (requiring an affirmative two-thirds vote):

Yeas—11.

Atlee.	Linn.
Burns.	Miller.
Goss.	Morriss.
Grinnan.	Sebastian.
Kerr.	Stafford.
Lewis.	

Nays—10.

Davidson.	Odell.
Gough.	Potter.
Greer.	Ross.
James.	Terrell.
Lloyd.	Yantis.

Present—Not voting.

Patterson.

Absent.

Dibrell.	Stone.
Hanger.	Turney.
Johnson.	Wayland.
McGee.	Yett.
Neal.	

PETITIONS AND MEMORIALS.

By Senator Grinnan (at request of Senator Stafford):

Memorial of citizens of the city of Tyler, endorsing the veto messages of Governor Sayers, and asking their members of the Legislature to sustain the Governor.

Read, and on motion of Senator Odell, referred to the Committee on Internal Improvements.

(Senator Atlee in the chair.)

By Senator Yantis:

Petition of citizens of East Waco, asking the passage of the bill extending the city limits of Waco so as to include the territory of East Waco.

Read, and referred to the Committee on Towns and City Corporations.

By Senator Terrell:

Petition of 126 miners, asking for the passage of House Bill No. 70, providing for the protection of the lives of coal miners.

Read, and referred to the Committee on Mining and Irrigation.

COMMITTEE REPORTS.

Committee Room,
Austin, Texas, March 23, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 142, being a bill to be entitled "An Act to prohibit any person from charging or taking from another any rate of interest greater than ten per cent. per annum, and to fix a penalty for the violation of the provisions of this act."

And find the same correctly engrossed.

JAMES, Chairman.

Committee Room,
Austin, Texas, March 24, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 207, being a bill to be entitled "An Act to amend Articles 2534, 2535, 2536, 2537, 2538, 2539 and 2540, of Title XLIX, of the Revised Civil Statutes of the State of Texas, relating to actions of forcible entry and detainer,"

And find the same correctly engrossed.

JAMES, Chairman.

BILLS AND RESOLUTIONS.

By Senators Terrell and Yantis:

Senate bill No. 293, a bill to be entitled "An Act to define and punish unjust discrimination by officers, agents and employes, and receivers, their officers, servants, agents and employes of railroad companies in this State."

Read first time, and referred to Judiciary Committee No. 2.

By Senators Turney and Sebastian:

Senate bill No. 294, a bill to be entitled "An Act to reorganize the Thirty-fourth Judicial District of Texas, to prescribe the time of holding the terms of the district court therein, and to repeal all laws in conflict with this act."

Read first time, and referred to Committee on Judicial Districts.

Call concluded.

HOUSE MESSAGES.

The following messages from the House were received:

Hall of the House of Representatives,
Austin, Texas, March 27, 1899.

Hon. Jas. N. Browning, President of the Senate.

I am directed by the House to inform the Senate of the passage of the following bill:

Senate bill No. 273, a bill to be entitled "An Act to incorporate the city of Paris, and to prescribe its duties and liabilities, adopted by the Twenty-first Legislature of Texas, and approved March 27, 1889, by amending Section 4 of said act, so as to make all officers created by said act, elective by the qualified voters of said city."

Respectfully,

LEE J. ROUNTREE,

Chief Clerk House of Representatives.

Hall of the House of Representatives,
Austin, Texas, March 27, 1899.

Hon. Jas. N. Browning, President of the Senate.

I am directed by the House to inform the Senate that the House has adopted the report of the Free Conference Committee on Senate Bill No. 20.

Respectfully,

LEE J. ROUNTREE,

Chief Clerk House of Representatives.

REGULAR ORDER.

The Chair laid before the Senate, on second reading,

Senate bill No. 182, A bill to be entitled "An Act to require the city councils or boards of aldermen in each village, town or city in this State that may hereafter be granted a special charter by act of the Legislature, to submit such special charter to the qualified voters of such village, town or city for their approval or rejection at an election to be held for that purpose, and providing that such special charter shall be ratified at such election by a majority of the qualified voters participating or voting at such election, before such charter can go into effect," action being on engrossment.

Pending action,

On motion of Senator Davidson, the pending business (Senate bill No. 182), was suspended to take up, on second reading,

Senate bill No. 243, A bill to be entitled "An Act validating the incorporation, for school purposes only, of Victoria independent school district, an independent incorporated public school district heretofore incorporated in Victoria county, including within its limits the municipal corporation of the town or city of Victoria; adding to the same certain territory, so as to make the same hereafter co-extensive with the ancient and original town tract of Victoria; validating the acts of the board of trustees thereof; authorizing the board of trustees to levy, assess and collect special taxes; conferring upon the board of trustees plenary powers and authority to issue bonds for the purpose of purchasing school sites and erecting, furnishing and equipping school buildings within the same; and further prescribing the duties and authority of said board."

The bill was read a second time.

By Senator Davidson:

"Amend by striking out Section 20. and changing the remaining section, so as to conform in numbers."

Adopted.

The bill as amended was ordered engrossed.

On motion of Senator Yantis, the pending business (Senate bill No. 182), was suspended to take up, on third reading,

Senate bill No. 142, A bill to be entitled "An Act to prohibit any person from charging or taking from another any rate of interest greater than ten per cent. per annum, and to fix a penalty for the violation of the provisions of this act."

The bill was read a third time, and passed.

Action recurring to pending business (Senate bill No. 182—see caption above), The bill was read a second time.

By Senator Odell:

"Amend line 27, by inserting after the word 'charter,' where it appears the second time, and thereafter whenever it appears in the bill, the following: 'or charter amendments.'"

Adopted.

By Senator Odell:

"Amend line 27, by inserting after the word 'charter,' where it first appears, the following: 'or for the charter amendment or amendments, or against the charter amendment or amendments, as the case may be.'"

Adopted.

The bill as amended was ordered engrossed.

On motion of Senator Burns, the regular order of business was suspended to take up, on second reading,

Senate bill No. 268, A bill to be entitled "An Act to amend the charter of the city of Houston."

The bill was read a second time, and ordered engrossed.

On motion of Senator Potter, the regular order of business was suspended to take up, on second reading,

House bill No. 555, A bill to be entitled "An Act to amend an act passed by the Twenty-fifth Legislature in the year 1897, entitled 'An Act to amend Subdivision 15, of Article 22, of the Revised Civil Statutes of the State of Texas, relative to the time of holding the terms of the district court of the Fifteenth Judicial District of Texas, passed by the Twenty-fourth Legislature in the year 1895, and to repeal all laws in conflict with this act,' providing for the selection and empaneling of grand juries for the January term of said court, and to repeal all laws in conflict with this act."

The bill was read a second time, and passed to a third reading.

On motion of Senator Greer, the regular order of business was suspended to take up, on second reading,

Senate bill No. 254, A bill to be entitled "An Act to amend Article 4218q, of

Chapter 12a, of Title LXXXVII, of the Revised Civil Statutes of the State of Texas of 1895, relating to the sale of timber lands."

The bill was read a second time (in full, at request of Senator Goss).

By Senator Greer:

"Amend the bill page 1, line 22, by adding after the word 'acre' and before the words 'the purchaser,' the following: 'and that the contract for the sale of said timber shall specify the character of timber sold; and provided further, that no timber shall be removed from the land sold except timber specified in the contract.'"

Adopted.

Pending further action,

On motion of Senator Greer, the bill was laid on the table subject to call.

On motion of Senator Grinnan, the regular order of business was suspended to take up, on second reading,

Senate bill No. 221, A bill to be entitled "An Act to amend Article 3071, of Chapter 3, Title LVIII, of the Revised Civil Statutes of the State of Texas, relating to insurance."

The bill was read a second time, and ordered engrossed.

On motion of Senator Ross the regular order of business was suspended to take up, on third reading,

Senate bill No. 207, A bill to be entitled "An Act to amend Articles 2534, 2535, 2536, 2537, 2538, 2539 and 2540, of Title XLIX, of the Revised Civil Statutes of the State of Texas, relating to actions of forcible entry and detainer."

The bill was read a third time.

By Senator Ross:

"The fact that a great injustice is being done to property owners in this State by reason of the fact that there is now no remedy provided by law for a speedy trial for the possession of property, where the possession of the same is wrongfully withheld from parties having a right thereto, creates an imperative public necessity and an emergency making necessary that this act take effect from and after its passage, and it is so enacted."

Adopted.

On final passage of the bill it appearing there was no quorum, Senator Ross moved a call of the Senate, which was duly seconded and ordered, the following Senators answering to their names:

Atlee.	Grinnan.
Burns.	James.
Davidson.	Kerr.
Goss.	Lewis.
Gough.	Linn.
Greer.	Lloyd.

Miller.
Morriss.
Odell.
Patterson.
Potter.

Ross.
Sebastian.
Stafford.
Terrell.
Yantis.

Absent.

Dibrell.
Hanger.
Johnson.
McGee.
Neal.

Stone.
Turney.
Wayland.
Yett.

Quorum present.

The bill was then passed by the following vote:

Yeas—20.

Atlee.
Burns.
Davidson.
Goss.
Gough.
Greer.
Grinnan.
James.
Kerr.
Lewis.

Linn.
Lloyd.
Miller.
Morriss.
Odell.
Patterson.
Ross.
Sebastian.
Terrell.
Yantis.

Nays—1.

Potter.

Present—Not voting.

Stafford.

Absent.

Dibrell.
Hanger.
Johnson.
McGee.
Neal.

Stone.
Turney.
Wayland.
Yett.

On motion of Senator Goss, the regular order of business was suspended to take up, on second reading,

Senate bill No. 174, which was read a second time in full with adverse majority and favorable minority committee reports, to-wit:

Senate bill No. 174, A bill to be entitled "An Act to define unlawful intercourse, and to provide a penalty therefor."

Be it enacted by the Legislature of the State of Texas:

Section 1. That any male person over twenty-one years of age who shall have carnal knowledge of an unmarried female over fifteen years of age and under eighteen years of age with her consent, or under such circumstances that the act does not constitute the offense of rape, shall be deemed guilty of an unlawful intercourse, and shall be punished by confinement in the penitentiary not less than two nor more than ten years.

Sec. 2. The importance of this bill and the crowded condition of the calendar rendering it improbable that it can be read on three several days create an

imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and it is accordingly so ordered.

MAJORITY REPORT.

Committee Room,
Austin, Texas, March 13, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 174, being a bill to be entitled "An Act to define unlawful intercourse, and to provide a penalty therefor,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do not* pass.

YANTIS, Chairman.

MINORITY REPORT.

Committee Room,
Austin, Texas, March 13, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: A minority of Judiciary Committee No. 2, to whom was referred

Senate bill No. 174, being a bill to be entitled "An Act to define unlawful intercourse, and to provide a penalty therefor,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do* pass, with the following amendments:

"Amend by adding after the word 'female' the words 'of previously chaste character.'"

"Amend by adding after the word 'rape' the words 'or seduction.'"

TERRELL.

Pending action, Senator Miller moved to adjourn to 3 p. m. today.

Lost by the following vote:

Yeas—11.

Atlee.	Morriss.
James.	Odell.
Kerr.	Potter.
Linn.	Terrell.
Lloyd.	Yantis.
Miller.	

Nays—12.

Burns.	Lewis.
Davidson.	Patterson.
Goss.	Ross.
Gough.	Sebastian.
Greer.	Stafford.
Grinnan.	Yett.

Absent.

Dibrell.	Neal.
Hanger.	Stone.
Johnson.	Turney.
McGee.	Wayland.

Senator Goss moved to substitute the minority for the majority report.

Pending action.

On motion of Senator Burns the Senate adjourned to 3:15 p. m., by the following vote:

Yeas—14.

Atlee.	Lloyd.
Burns.	Miller.
Davidson.	Morriss.
James.	Potter.
Kerr.	Ross.
Lewis.	Terrell.
Linn.	Yantis.

Nays—8.

Goss.	Patterson.
Gough.	Sebastian.
Greer.	Stafford.
Grinnan.	Yett.

Absent.

Dibrell.	Odell.
Hanger.	Stone.
Johnson.	Turney.
McGee.	Wayland.
Neal.	

AFTERNOON SESSION.

Senate met pursuant to adjournment.
(President Pro Tem. Stafford in the chair.)

Roll called. No quorum, the following Senators answering to their names:

Atlee.	Miller.
Burns.	Morriss.
Davidson.	Patterson.
Goss.	Potter.
Greer.	Sebastian.
Grinnan.	Stafford.
James.	Terrell.
Kerr.	Yantis.
Lloyd.	

Absent.

Dibrell.	Neal.
Gough.	Odell.
Hanger.	Ross.
Johnson.	Stone.
Lewis.	Turney.
Linn.	Wayland.
McGee.	Yett.

Senator Terrell moved a call of the Senate for the purpose of securing a quorum, which was duly seconded and ordered, the following Senators answering to their names:

Atlee.	Lloyd.
Burns.	Miller.
Davidson.	Morriss.
Goss.	Patterson.
Greer.	Potter.
Grinnan.	Sebastian.
James.	Stafford.
Kerr.	Terrell.
Lewis.	Yantis.

Absent.

Dibrell.	Odell.
Gough.	Ross.
Hanger.	Stone.
Johnson.	Turney.
Linn.	Wayland.
McGee.	Yett.
Neal.	

No quorum.

Senators Linn and Odell were announced.

It appearing that a quorum could not be had,

On motion of Senator Odell the Senate adjourned until 10 a. m. tomorrow.

FIFTY-FIFTH DAY.

Senate Chamber,

Austin, Texas, Tuesday, March 28, 1899.

Senate met pursuant to adjournment.

President Pro Tem. Stafford in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Atlee.	McGee.
Burns.	Miller.
Davidson.	Morriss.
Goss.	Neal.
Gough.	Patterson.
Greer.	Potter.
Grinnan.	Ross.
Hanger.	Sebastian.
James.	Stafford.
Kerr.	Terrell.
Lewis.	Wayland.
Linn.	Yantis.
Lloyd.	

Absent.

Dibrell.	Stone.
Johnson.	Turney.
Odell.	Yett.

Prayer by the Chaplain, Rev. Dr. Denison.

Pending the reading of the Journal of yesterday,

On motion of Senator Kerr, the same was dispensed with.

EXCUSED.

On motion of Senator Potter, Senator Neal was excused for non-attendance on

yesterday on account of important business.

On motion of Senator Greer, Senator Wayland was excused for non-attendance on Friday and yesterday on account of sickness.

On motion of Senator Miller, Senators Hanger and McGee were excused for non-attendance on yesterday on account of sickness.

Senator Miller moved to excuse Senator Odell for today and tomorrow on account of sickness.

Lost by the following vote (requiring an affirmative two-thirds vote):

Yeas—13.

Atlee.	Miller.
Burns.	Morriss.
Goss.	Neal.
Grinnan.	Ross.
Hanger.	Sebastian.
Kerr.	Stafford.
Lewis.	

Nays—11.

Davidson.	Patterson.
Gough.	Potter.
Greer.	Terrell.
James.	Wayland.
Lloyd.	Yantis.
McGee.	

Absent.

Dibrell.	Stone.
Johnson.	Turney.
Linn.	Yett.
Odell.	

COMMITTEE REPORTS.

Committee Room,

Austin, Texas, March 23, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 265, being a bill to be entitled "An Act to amend Article 3964, of the Revised Civil Statutes of 1895, as amended by the Twenty-fifth Legislature, and providing for taking the scholastic census biennially,"

And find the same correctly engrossed.

JAMES, Chairman.

Committee Room,

Austin, Texas, March 27, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 221, being a bill to be entitled "An Act to amend Article 3071, of Chapter 3, Title LVIII, of the Revised